## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:03CV429-MU

CHRISTOPHER PHELPS & ASSOCIATES, INC.,	)	
Plaintiff,	)	
vs.	)	ORDER
R. WAYNE GALLOWAY,	)	
Defendant.	) ) )	

This matter is before the court upon Plaintiff's Motion *in Limine*. In its motion, Plaintiff lists 22 items or categories of evidence it wishes the court to exclude at trial. After reviewing the briefs filed by both Plaintiff and Defendant, it appears that most of these items are in fact admissible. Other items will require the court to evaluate the evidence within the context of trial and cannot be ruled admissible or inadmissible in advance of trial. Accordingly, the court will deny the Motion *in Limine* at this time, but Plaintiff may have leave to raise these issues again at the appropriate time during trial.

IT IS SO ORDERED.

## Signed: September 8, 2005

Graham C. Mullen Chief United States District Judge